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Amendment
Attorney Docket No. S63.2B-11395-US01

Remarks

This Amendment is in response to the Office Action dated November 21, 2005. Claims 1-35 are pending in this application. The Office Action rejected claims 23-27 under 35 USC § 112, second paragraph; rejected claims 1, 2, 7-10, 19, 20, 21 and 29 under 35 USC § 102 over Brown et al. (US 6769161; hereinafter "Brown"); rejected claims 1, 2, 7-10, 19-21 and 29 under 35 USC § 102 over Verbeek et al. (WO 02/11646; hereinafter "Verbeek"); rejected claims 19-21 and 29 under 35 USC § 102 over Tarpill (US 5138864); rejected claims 19-21 and 29 under 35 USC § 102 over Djidics (US 2409549); rejected claims 19-23 under 35 USC § 102 over Norin (US 4614107); rejected claims 13-18 and 28 under 35 USC § 103 over Brown or Verbeek in view of Motsenbocker (US 6925847); and rejected claims 1-5, 7-9, 11 and 12 under 35 USC § 103 over Motsenbocker in view of Norin. The Office Action further indicated the presence of allowable subject matter in claims 6, 24-27 and 30-34, and allowed claim 35.

By this Amendment, claims 1, 3, 6, 13, 15, 19, 22-27, 30 and 33 are amended. Support for the various claim amendments may be found at least in Figure 2. Claims 6, 24, 30 and 33 have been rewritten in independent form. Applicant reserves the right to prosecute any cancelled subject matter in a subsequent patent application claiming priority to the immediate application. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Allowable Subject Matter/Claim Objections

Applicant acknowledges the Office Action's allowance of claim 35 and indication of allowable subject matter in claims 6, 24-27 and 30-34. Claims 6, 24, 30 and 34 have been rewritten in independent form. Withdrawal of the objection to claims 6 and 30-34 is requested.

Claim Rejections - 35 USC § 112

The Office Action rejects claims 23-27 under 35 USC § 112, second paragraph, for failure to provide antecedent basis for the "stationary mount" limitation. Claims 23 and 27 are amended to obviate the rejection. Claim 24 has been rewritten in independent form, thereby obviating the rejection of claims 24-26, as claims 24-26 appear to have been rejected for being dependent upon rejected claim 23. Accordingly, Applicant requests withdrawal of the rejections

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under 35 USC § 112, second paragraph.

Claim Rejections – 35 USC § 102

The Office Action rejected, under 35 USC § 102, claims 1, 2, 7-10, 19, 20, 21 and 29 over Brown; claims 1, 2, 7-10, 19-21 and 29 over Verbeek; claims 19-21 and 29 over Tarpill; claims 19-21 and 29 over Djidics; and claims 19-23 over Norin.

Independent claims 1 and 19 have been amended. The amendments are self-explanatory and are believed to render the rejections moot. Each applied reference fails to disclose or suggest all of the limitations of either claim 1 or claim 19. Claims 2 and 7-10 depend from independent claim 1, and claims 20-23 and 29 depend from independent claim 19. Each dependent claim is patentable over the applied references for at least the reasons pertaining to the independent claim from which it depends. Accordingly, Applicant requests withdrawal of the rejections under 35 USC § 102.

Claim Rejections – 35 USC § 103

The Office Action rejected claims 1-5, 7-9, 11 and 12 under 35 USC § 103 over Motsenbocker in view of Norin.

Amendments to independent claim 1 are believed to render the rejections moot. The applied references, either alone or in combination, fail to disclose or suggest all of the limitations of claim 1. Therefore, claim 1 is patentable over Motsenbocker in view of Norin. Claims 2-5, 7-9, 11 and 12 depend from claim 1 and are patentable for at least the reasons pertaining to claim 1. Withdrawal of the rejections is requested.

Further, the Office Action asserts it would have been obvious to have modified the stent crimping method of Motsenbocker by using the Norin device to crimp a stent “so as to produce a superior shaping in the stent.” See page 4. This assertion is traversed.

Norin discloses a tool for crimping contact sleeves or cable shoes onto electrical conductors. See column 1, lines 4-6. Motsenbocker discloses a stent crimping device that is both newer and more sophisticated than the Norin device.

The Motsenbocker device is specifically directed to stent crimping, while the Norin device is not. A person of ordinary skill in the art would recognize that the Motsenbocker

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device is clearly superior for its intended purpose. Therefore, a person of ordinary skill in the art would not be motivated discard the Motsenbocker device and crimp a stent using the Norin device.

The Office Action also rejected claims 13-18 and 28 under 35 USC § 103 over Brown or Verbeek in view of Motsenbocker.

Without admitting that Motsenbocker is prior art to the immediate application, Applicant has amended claim 13, which now requires a first blade that overlaps a second blade in a direction parallel to the central longitudinal axis of the aperture, wherein a circumference of the aperture oriented orthogonal to the central longitudinal axis contacts the contacting surface of the first blade and the contacting surface of the second blade. Applicant believes that neither Brown nor Verbeek in view of Motsenbocker disclose or suggest all of the limitations of claim 13.

For example, the individual segments 26 in the Verbeek device that are aligned about a common circumference of the aperture do not overlap in a direction parallel to the central longitudinal axis of the aperture. Figure 2 of Verbeek is provided below for convenience.

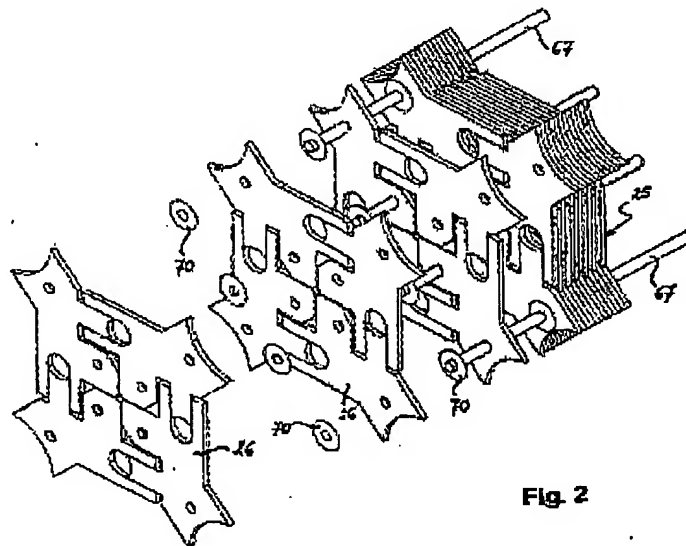


Fig. 2

Therefore, Applicant asserts independent claim 13 is patentable over the applied references. Claims 14-18 depend from independent claim 13 and therefore are patentable for at least the reasons discussed with respect to claim 13.

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Applicant notes that claim 28 depends from independent claim 19, which was not included in the §103 rejections. Therefore, Applicant assumes the rejection of claim 28 was in error. Further, as discussed with respect to the rejections under 35 USC § 102, independent claim 19 has been amended. The amendment to claim 19 is believed to render the rejection of claim 28 moot.

Accordingly, Applicant requests the withdrawal of the rejections under 35 USC § 103.

Conclusion

Based on at least the foregoing amendments and remarks, Applicants respectfully submit this application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-35 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

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